

1 DANIEL G. BOGDEN
2 United States Attorney
3 AMBER M. CRAIG
4 Assistant United States Attorney
5 333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101
PHONE: (702) 388-6336
FAX: (702) 388-6698

6 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

7 -oOo-

8 UNITED STATES OF AMERICA,
9 Plaintiff,
10 vs.
11 JIANGUO HAN, and
BING HAN,
12 Defendants.

2:15-cr-069-JCM-NJK

STIPULATION TO CONTINUE
GOVERNMENT'S DEADLINE TO
RESPOND TO MOTION TO
SUPPRESS EVIDENCE AND
STATEMENTS (#38)
(First Request)

13 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United
14 States Attorney, and Amber M. Craig, Assistant United States Attorney, counsel for the United
15 States of America, and Robert Curtis, Esq., counsel for Defendants Jianguo Han and Bing Han, that
16 the Government's deadline to respond to the Defendant's Motion to Suppress Evidence and
17 Statements, currently scheduled for June 1, 2015, be vacated and continued for thirty days, or to a
18 date to be set at the Court's convenience.

19 This stipulation is entered into for the following reasons:

20 1. The parties are engaged in plea negotiations which may resolve the case without the need
to litigate pretrial motions, and additional time is needed for the negotiations.

21 2. The Defendants are out of custody and do not object to the continuance.

22 3. For the reasons stated above, the ends of justice would best be served by a continuance of
the response deadline.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(3)(A) and (h)(7)(A), considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B)(i) and (h)(7)(B)(iv).

6. This is the first request for a continuance filed herein.

DATED this 29th day of May, 2015.

DANIEL G. BOGDEN
United States Attorney

/s/ Robert Curtis
ROBERT CURTIS, ESQ.
Counsel for Defendants

/s/ *Amber M. Craig*
AMBER M. CRAIG
Assistant United States Attorney

1
2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**

4 **-oOo-**

5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 vs.

8 JIANGUO HAN, and
9 BING HAN,

10 Defendants.

11 **2:15-cr-069-JCM-NJK**

12 **FINDINGS OF FACT, CONCLUSIONS**
13 **OF LAW, AND ORDER**

14 **FINDINGS OF FACT**

15 Based upon the pending Stipulation of counsel, and good cause appearing therefore, the
16 Court finds that:

- 17 1. The parties are engaged in plea negotiations which may resolve the case without the need
18 to litigate pretrial motions, and additional time is needed for the negotiations.
- 19 2. Defendants are out of custody and do not object to the continuance.
- 20 3. For the reasons stated above, the ends of justice would best be served by a continuance of
21 the response deadline.
- 22 4. Additionally, denial of this request for continuance could result in a miscarriage of
23 justice.
- 24 5. The additional time requested by this Stipulation is excludable in computing the time
within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,
United States Code, Sections 3161(h)(3)(A) and (h)(7)(A), considering the factors under Title 18,
United States Code, Sections 3161(h)(7)(B)(i) and (h)(7)(B)(iv).

25 **CONCLUSIONS OF LAW**

26 The ends of justice served by granting said continuance outweigh the best interest of the

public and the Defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(1)(A), (h)(7)(A), (h)(7)(B)(i), and (h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the Government's deadline to file its response to Defendant's Motion to Suppress Evidence and Statements, currently scheduled for June 1, 2015, be vacated and continued to the 7th day of July, 2015.

DATED this 29th day of May, 2015.

HONORABLE NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE